



OFFICE OF THE ATTORNEY GENERAL OF TEXAS  
AUSTIN 11

GROVER SELLERS  
ATTORNEY GENERAL

Honorable T. M. Trimble  
First Assistant State Superintendent  
State Department of Education  
Austin 11, Texas

Dear Sir:

Opinion No. -0-6772

Re: Whether under the provisions of H. B. 292, 49th Legislature, two or more counties may jointly employ a supervisor to supervise the instruction of rural schools

Your request for opinion has been received and carefully considered by this department. We quote from your request as follows:

"H. B. No. 292, an Act of the Forty-ninth Legislature, provides that county boards of trustees may employ supervisors to supervise the instruction of the rural schools within a county.

"Is it possible under the provisions of this law for two or more small counties to share the expense of a county supervisor when it is felt that the expense of employing such a supervisor for one county will be too great a burden?

" . . . "

Section 2 of H. B. 292, 49th Legislature of Texas, reads as follows:

"Section 2. The County Superintendent of Public Instruction may, with the approval of the County Board of Education, employ one or more school supervisors to assist in planning, outlining, and supervising the work of the Public Free Schools in the county which is under the supervision of the County Superintendent of Public Instruction. Said supervisor or supervisors shall at all times work under the supervision and direction of the County Superintendent of Public Instruction, as other assistants

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are required to do, and must have evidence of proficiency in rural school supervision and must be the holder of at least a Bachelor of Science Degree or  
→ higher. Such supervisor or supervisors may receive a salary of not to exceed Twenty-six Hundred Dollars (\$2,600) per annum, to be paid out of the same funds and in the same manner as that of the County Superintendent of Public Instruction and other assistants."

As we construe said Section 2, supra, the school supervisor mentioned therein is not a public officer with a definite fixed term but is merely an employee.

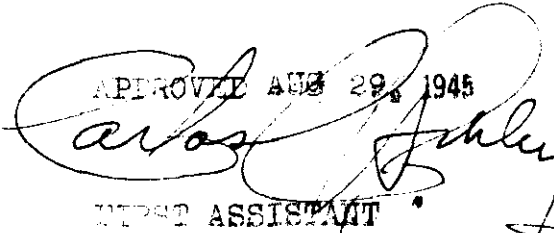
It is our opinion that your question should be answered in the affirmative, and it is so answered.

Very truly yours,

ATTORNEY GENERAL OF TEXAS

By   
Wm. J. Fanning  
Assistant

WJF/JCP

APPROVED AUG 29, 1945  
  
FIRST ASSISTANT  
ATTORNEY GENERAL

